

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 10, 2023

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Guthrie, Senators Winder, Anthon, Harris, Lee, Toews, Wintrow, and Ruchti

ABSENT/ EXCUSED: Vice Chairman Bernt

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:00 a.m. He said approval of minutes would be considered last.

MINUTES APPROVAL: Approval of the minutes of February 3, 2023. The approval of the minutes was inadvertently overlooked and will be considered at the next meeting.

RS 30097 **RELATING TO VOTERS - Amends Title 34, Idaho Code.** **Phil McGrane**, Idaho Secretary of State, described **RS 30097** as the production of a voter guide to include candidate information. He said getting information to voters was highest on his priority list for a budget request.

MOTION: **Senator Anthon** moved to send **RS 30097** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

S 1046 **ALCOHOLIC BEVERAGES - Amends existing law to revise a provision regarding issuance of a liquor license to a golf course.** **Brody Aston**, Westerberg and Associates, represented Kasey Suran and Coeur d'Alene (CDA) National Golf Course. He explained **S 1046** clarified the sale of liquor by the drink at a club house considered contiguous to the golf course, although listed on a different parcel than the golf course. The golf course was located on a 160 acre lake, was within 0.5 miles of the golf course, and was connected by a public or private right-of-way. **Mr. Aston** emphasized this did not create a new liquor license.

MOTION: **Senator Harris** moved to send **S 1046** to the Senate with a **do pass** recommendation. **Senator Ruchti** seconded the motion. **Senator Winder** commented this was an example of how to deal with current liquor licenses and restrictions while making things match and making them beneficial for this kind of business. The motion carried by **voice vote**.

S 1047 **ALCOHOLIC BEVERAGES - Amends existing law to authorize the issuance of a license to certain establishments in a resort city.** **Mr. Aston** represented Mike Flynn, owner of the historic Bellevue State Bank Building (Bellevue). **Mr. Aston** explained the Bellevue was 110 years old, 6,000 square feet in size, in a national historic district, and within a resort city. He said **S 1047** did not impact other license holders, carry unintended consequences as it was limited to one license per resort city, and was nontransferable.

MOTION: **Senator Anthon** moved to send **S 1047** to the Senate with a **do pass** recommendation. **Senator Toews** seconded the motion. **Senator Anthon** commented he was in favor of looser restrictions on buildings in historic districts. He feared losing historic buildings for lack of business opportunities. He favored saving historic buildings and was saddened that it appeared only resort cities were able to salvage them. He encouraged finding a way to carve out more support for the preservation of old buildings. The motion carried by **voice vote**.

RS 30255 **RELATING TO OPEN MEETINGS - Amends Chapter 2, Title 74, Idaho Code.** **Senator Nichols** stated she and Senator Trakel worked on legislation to create a new chapter to provide legislative intent and standards for public testimony and written testimony during public meetings.

DISCUSSION: **Senator Lee** expressed concern about the language, specifically that a public agency shall answer questions at this time. **Senator Nichols** explained it was intended to open a dialog with public testimony. **Senator Lee** queried the potential for the public to take over a meeting, rather than allowing the representatives to carry out business in front of the public. **Senator Nichols** clarified the public could only speak at specific times during a meeting and with a standard three-minute time limit to avoid such situations. She hoped to alleviate the frustration some people expressed to her about meetings that took no public testimony. This legislation would create standards for giving public testimony at public meetings. **Chairman Guthrie** stated the need for delineation between public hearings and public meetings. **Senator Ruchti** acknowledged this was a tough issue. The purpose of hearings was to obtain public input and also to present the opportunity to complete business. He cautioned significant changes had the potential to allow the public to high jack the meeting. **Senator Nichols** agreed to clarify the components of a hearing versus a meeting. She added this referred to the open public meeting statute.

MOTION: **Senator Toews** moved to send **RS 30255** to print. The motion died for lack of a second. **Senator Winder** suggested this was an issue to be reexamined. He agreed to offer a discussion with leadership to get support to move **RS 30255** forward.

RS 30279 **RELATING TO CITY ELECTIONS - Amending Section 34-101.** Senator Grow was unavailable. **Senator Lee** presented **RS 30279** and explained its purpose was to increase voter participation by moving voting dates from odd numbered years to even numbered years.

MOTION: **Senator Lee** moved to send **RS 30279** to print. **Senator Harris** seconded the motion. **Senator Wintrow** asked if Senator Grow worked with city or county government on this legislation. **Senator Lee** understood some cities were in support of the legislation and some were not. The motion carried by **voice vote**.

RS 30298 **RELATING TO THE LEGISLATURE; Amending Section 67-465, Idaho Code, to Revise a Provision Regarding Intervention by the Legislature in an Action Regarding an Idaho Statute.** **Senator Winder** explained this was reworked from an earlier RS related to the subject matter of when the legislature could intervene in a case before the court. It was initially considered too permissive and gave the courts too much flexibility so the RS was returned to clean up language and establish an affirmative right to intervene.

MOTION: **Senator Harris** moved to send **RS 30298** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Senator Winder.

RS 30290

RELATING TO MOTOR VEHICLES; Amending Section 49-303, Idaho Code, to Provide for Restricted Driver's Licenses. **Chairman Guthrie** stated **RS 30290** would change Chapter 3, Title 49 of the Idaho Code to issue a restricted driver's license to someone who could not establish legal presence in the United States. He noted 19 states and territories had some iteration of this legislation. He asked the Committee to focus on availability of jobs and the unwillingness of some to recognize the need for foreign-born labor. He stated undocumented individuals were in our society, our economy, our markets, and on our roads. An identification (ID) card or driver's license was a necessity of life. Federal immigration policy studies showed roads would be safer if drivers were licensed after having passed road competency, which would also put them in a position to be insured. **Chairman Guthrie** said ID documents were key in enforcing the law and in investigations and solving crime. Restricted driver's licenses provided key data points, making it safer for law enforcement when interacting with people that had ID in English, a license, and are insured. The restricted driver's license would have similar requirements as a Class D license only with the limitation that it was valid for two years and could be renewed. It would not be valid for voting, purchasing a firearm, or at airport security. He referred to a handout that showed a different configuration and noted the wording was written to avoid exploitation beyond the intent, which was just an ability to drive, be insured, and be confident on the road (Attachment 1). **Chairman Guthrie** asked the Committee to move **RS 30290** forward for the purpose of further discussion.

MOTION:

Senator Anthon moved to send **RS 30290** to print. **Senator Harris** seconded the motion. **Senator Anthon** acknowledged a Federal immigration problem in the United States that spilled into Idaho in the agricultural community. He shared that as a Prosecuting Attorney, he had prosecuted people without licenses who fled the scene of accidents, leaving insured individuals in a bad spot. It was his desire for the Federal government to address some of the solutions presented to Congress, which had been ignored. He stated his motion was to acknowledge the problem in Idaho and promote a broader discussion. The motion carried by **voice vote**.

PASSED THE GAVEL:

Senator Winder passed the gavel back to Chairman Guthrie.

ADJOURNED:

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:40 a.m.

Senator Guthrie
Chair

Joyce Brewer
Secretary